

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

23-cr-99

HOWARD HINKLE, JR.,

Defendant.

NOTICE OF MOTION AND MOTION

THE UNITED STATES OF AMERICA, by and through its attorney, Trini E. Ross, United States Attorney for the Western District of New York, Caitlin M. Higgins, Assistant United States Attorney, hereby moves the Court for a stay of Judge McCarthy's Oral Release Order (*see* Docket No. 209).

DATED: Buffalo, New York, September 17, 2024.

TRINI E. ROSS
United States Attorney

BY: /s/ Caitlin M. Higgins
CAITLIN M. HIGGINS
Assistant United States Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
716/843-5818
Caitlin.Higgins@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

23-cr-99

HOWARD HINKLE, JR.,

Defendant.

AFFIRMATION

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

Caitlin M. Higgins, being duly sworn, deposes and states:

1. I am an Assistant United States Attorney for the Western District of New York and assigned to my office's file regarding this action. This affirmation is submitted in support of the government's motion to stay Judge McCarthy's September 9, 2024, Oral Release Order (*see* Docket No. 209).

2. On September 9, 2024, Judge McCarthy reopened the detention hearing and released the defendant to home incarceration based upon a (1) property bond and (2) unsecured signature bond. *See* Docket No. 209. Judge McCarthy stayed his decision until September 20, 2024. *See id.* On September 17, 2024, the government filed a motion to revoke Judge McCarthy's Oral Release Order. *See* Docket No. 217.

3. The government respectfully requests that the Court stay Judge McCarthy's Oral Release Order pending resolution of the government's motion to revoke.

/s/ Caitlin M. Higgins

CAITLIN M. HIGGINS
Assistant United States Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
716/843-5818
Caitlin.Higgins@usdoj.gov